

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

FINGER LAKES CAPITAL PARTNERS, LLC,

Debtor.

Chapter 11

Case No. 16-22112 (RDD)

**DECLARATION OF JEFFREY CHUBAK IN SUPPORT OF LYRICAL
OPPORTUNITY PARTNERS, L.P.'S AND JEFFREY KESWIN'S
MOTION TO DISMISS OR CONVERT CHAPTER 11 CASE**

I, Jeffrey Chubak, hereby declare:

I am an attorney with the law firm of Storch Amini & Munves PC, attorneys for Lyrical Opportunity Partners, L.P. and Jeffrey Keswin. I submit this declaration in support of Lyrical's and Keswin's motion to dismiss, or alternatively, convert, the above-captioned chapter 11 case. Capitalized terms used but not defined herein have the meanings ascribed to them in the motion. Attached hereto as exhibits are true and correct copies of the following documents:

Exhibit No.	Relevant Action	Document Description
1	Delaware	<i>Finger Lakes Capital Partners, LLC v. Honeoye Lake Acquisition, LLC</i> , Civ. A. No. 9742, 2015 WL 6455367 (Del. Ch. Oct. 26, 2015)
2	Delaware	Order on Cross-Motions for Reargument, entered Nov. 18, 2015
3	Delaware	Final Order and Judgment, entered January 22, 2016
4	Keswin Note	Affidavit of Jeffrey Keswin, filed June 24, 2015
5	Delaware	Lyrical's Opening Brief, filed May 15, 2015 (excerpt)
6	Delaware	Debtor's Answering Brief, filed May 30, 2015 (excerpt)
7	Keswin Note	Keswin Memorandum of Law in Support of Motion for Summary Judgment in Lieu of Complaint, filed June 24, 2015 (excerpt)
8	Keswin Note	Order Denying Motion and Cross-Motion for Summary Judgment, entered December 2, 2015 (excerpt)
9	Keswin Note	So Ordered Transcript, entered January 8, 2016 (excerpt)
10	Delaware	June 15, 2015 Trial Hearing Transcript (excerpt)

Exhibit No.	Relevant Action	Document Description
11	Delaware	June 16, 2015 Trial Hearing Transcript (excerpt)
12	Bankruptcy	February 24, 2016 Bankruptcy Code Section 341 Meeting Transcript
13	N/A	Nourish Snacks, Inc. “Our Story” Webpage (excerpt)
14	Delaware	Transcript of April 27, 2015 Deposition of Gregory Shalov (excerpt)
15	N/A	Results of Search for “FCPC, LLC” on NYS Department of State, Division of Corporations Database
16	FLDP	Affidavit of Gregory Shalov, filed October 2, 2015
17	FLDP	Opposition to Lyrical’s Motion for Summary Judgment in Lieu of Complaint, filed October 2, 2015
18	Delaware	Trial Exhibit JX90, which includes a capitalization table for FLDP
19	Delaware	Transcript of April 28, 2015 Deposition of V. Zubin Mehta (excerpt)
20	Delaware	Trial Exhibit JX96, which includes the FLDP operating agreement

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: March 4, 2016
New York, New York

/s/ Jeffrey Chubak
Jeffrey Chubak